

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRETT L. NASH,

Defendant.

No. 12-30066-DRH

MEMORANDUM and ORDER

HERNDON, Chief Judge:

Pending before the Court is defendant's March 28, 2012 motion to continue (Doc. 25). Specifically, defendant moves the Court to continue the trial as he needs more time to prepare for trial due to the significant discovery, investigation and legal issues. The government does not oppose the motion. Based on the reasons stated in the motion, the Court finds that a continuance is necessary. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by the granting of such continuance outweigh the best interests of the public and defendant in a speedy trial.

Accordingly, the Court **GRANTS** defendant's motion to continue (Doc. 25). The Court **CONTINUES** the jury trial scheduled for April 30, 2012 to August 13, 2012 at 9:00 a.m. The time from the date the motion to continue trial was filed, March 28, 2012, to when the trial is rescheduled, August 13, 2012, is excludable time for the purposes of the Speedy Trial Act.

Lastly, should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at

the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

Signed this 2nd day of April, 2012.

  David R. Herndon
2012.04.02
11:35:52 -05'00'

**Chief Judge
United States District Court**